

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05cr103**

UNITED STATES OF AMERICA)
)
)
vs.)
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)
WILLIAM BOYD)
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ORDER

THIS MATTER is before the Court upon motion of the defendant for review of detention. (Doc. No. 62).

The defendant pled guilty to Count One of the indictment on August 17, 2005, charging him with conspiracy to possess with intent to distribute more than 100 grams of heroin. (Doc. No. 59: Plea Agreement; Doc. No. 64: Acceptance and Entry of Guilty Plea). Pursuant to § 3145(b), the defendant seeks review of the magistrate judge's detention order entered May 6, 2005. (Doc. No. 16).

Upon review of the record, even in a light most favorable to the defendant, the Court finds the circumstance alleged by the defendant of completing a 28-day in-jail drug treatment program is insufficient for this Court to alter the Order of Detention, particularly in light of the magistrate judge's finding that the defendant had failed to appear previously on a state felony drug case (Doc. No. 16).

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals service, and the U.S. Probation office.

Signed: September 27, 2005

Robert J. Conrad Jr.

Robert J. Conrad, Jr.
United States District Judge

